

MINUTES
LEXINGTON COUNTY COUNCIL
DECEMBER 12, 2006

Lexington County Council held its regular meeting on Tuesday, December 12, 2006 in Council Chambers, beginning at 4:30 p.m. Mr. Cullum presided. Mr. Davis gave the Invocation and Ms. Summers led the Pledge of Allegiance.

Members attending:	M. Todd Cullum	James E. Kinard, Jr.
	William C. Billy Derrick	George H. Smokey Davis
	Debra B. Summers	Bobby C. Keisler
	Johnny W. Jeffcoat	John W. Carrigg, Jr.
	Joseph W. Owens *	

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; John Fechtel, Director of Public Works/Deputy County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Presentation of Plaques - Mr. Cullum presented Mr. Owens a plaque for his service and leadership as Vice Chairman from January 10 through December 31, 2006. In addition, Mr. Cullum presented Mr. Owens, who will be leaving office on December 31, a plaque for his dedicated service to the citizens of Lexington County from January 07, 2003 through December 31, 2006. Mr. Owens presented Mr. Cullum a plaque for his leadership as Chairman from January 10 through December 31, 2006.

Mr. Owens thanked everyone for allowing him to serve as a member of Lexington County Council these past four years and said it allowed him the opportunity to meet a lot of people whom he would not have met and wished everyone the best.

Employee Recognition - Katherine Hubbard, County Administrator - Employee of the Third Quarter - Nominees for the Third Quarter were Tim Cox, Custodian, Building Services and Rose Kitchings, System Analysis, Information Services.

Ms. Hubbard presented a plaque to Mr. Cox as the Employee of the Third Quarter and a Certificate of Excellence to Ms. Kitchings.

Appointments - Museum Commission - Mr. Bill Schumpert - A motion was made by Mr. Derrick, seconded by Mr. Jeffcoat to appoint Mr. Bill Schumpert to the Museum Commission. Mr.

Schumpert replaces Ms. Louise J. Riley.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Jeffcoat	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Board of Zoning Appeals - Mr. Albert H. Summers - Mr. Kinard made a motion, seconded by Mr. Owens to reappoint Mr. Albert Summers to the Board of Zoning Appeals.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Kinard
	Mr. Owens	Mr. Derrick
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Prior to a recommendation for appointments to the Accommodations Tax Advisory Board, Mr. Jeffcoat asked that Council be provided a copy of the requirements for appointees.

Accommodations Tax Advisory Board - Ms. Kathy Rabune, Mr. William R. Dukes, and Mr. William Teague - A motion was made by Mr. Carrigg, seconded by Mr. Keisler to reappoint Ms. Kathy Rabune, Mr. William “Ryan” Dukes, and Mr. William Teague to the Accommodations Tax Advisory Board.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Carrigg
	Mr. Keisler	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Jeffcoat
	Mr. Owens	

Accommodations Tax Advisory Board - Ms. Karen Holderfield - A motion was made by Mr. Owens, seconded by Mr. Kinard to appoint Ms. Karen Holderfield to the Accommodations Tax Advisory Board. Ms. Holderfield replaces Mr. Buck Truett.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Kinard	Mr. Derrick

Mr. Davis	Ms. Summers
Mr. Keisler	Mr. Jeffcoat
Mr. Carrigg	

Richland County Transportation Study Commission - Ms. Lill Mood - Mr. Jeffcoat made a motion, seconded by Mr. Owens that Ms. Lill Mood be appointed to the Richland County Transportation Study Commission.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Owens	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Carrigg	

Ms. Summers indicated that she was contacted yesterday, December 11, by Mr. Kurt Kean who expressed a desire to serve on the Richland County Transportation Study Commission, but has not had the opportunity to meet Mr. Kean personally. For the record, Ms. Summers indicated besides Ms. Mood and Mr. Kean, Rev. Jerald Sanders had also expressed a desire to serve on that board.

Bids/Purchases/RFPs - A motion was made by Mr. Jeffcoat, seconded by Mr. Keisler that the following Bids/Purchases/RFPs (Tabs W, X, Y, Z, and 1) be approved.

Construction of Chapin Branch Library Building Addition - Library Services - Bids were solicited and advertised for the construction of an addition to the Chapin Branch Library. The addition consists of approximately 1,559 square foot Exterior Insulation and Finish System (stucco) structure. The base bid for the project included site improvements, landscaping, and exterior lighting. The bid required, as an alternate, additional pricing for asphalt paving and concrete curbing and walks.

A mandatory pre-bid was held on November 8, 2006 in which five (5) general contractors attended. Four (4) bids and one (1) no bid were received. Staff recommended the award of the contract to MAR Construction Company, Inc. The total bid amount includes the base bid of \$308,170 and, as an alternate, an additional \$8,500 for asphalt paving and concrete curbing and walks for a total award of \$316,670.

Leaphart Road Sidewalks - "C" Funds - Public Works - Bids were advertised and solicited from qualified contractors for sidewalk improvement for Leaphart Road. The project includes the construction of approximately 4,300 L.F. of concrete sidewalk along Leaphart Road between Mineral Springs Road and Dubbs Drive. The project consists of an estimated 0.9 acres of clearing and grubbing, 630 L.F. of saw cutting and removing of existing driveways, the removal and replacement of approximately 53 L.F. of existing fence, and the removal and relocation of 8 mail boxes, 12 water meters, 21 SCDOT street signs, 1 gas marker, 1 school zone sign and 2 flower beds. In addition, removing and replacing approximately 190 L.F. of 15" RCP. Six bids were received. Staff

recommended award of the bid to the lowest responsive bidder, C & W Construction. Total bid for the project, based on estimated quantities, is \$130,101.

Retrofit of Electronic Foam Injection System on Two (2) Side Mount Pumpers - Public Safety/Fire Service - Bids were advertised and solicited for two (2) retrofit of electronic foam injection systems on two (2) side mount pumpers for Public Safety/Fire Service. Class A foam mixed in standard concentration with water is three times as effective as water alone used to extinguish fire and is quickly becoming standard equipment for most attack pumpers. The Class "A" foam greatly reduces time on fire calls and decreases the possibility of a re-flash fire.

One (1) bid and one (1) no bid were received. Staff recommended awarding the bid to Jack L. Slagle Fire Equipment Company as being the lowest responsive bidder. The total cost including sales tax is \$18,737.36.

Three-Bay Garage - Public Safety/Fire Service - Bids were advertised and solicited from qualified bidders for a three-bay garage to be constructed at the training center located on Ball Park Road for Public Safety/Fire Service. The three-bay garage will house the three training fire trucks that are currently housed under a training prop designed to teach pumper operations. One (1) bid and one (1) no bid were received. Staff recommended awarding the bid to Hoover Buildings, Inc. as the lowest responsive bidder. Total cost including tax is \$19,931.

Fleet Vehicle Replacements/Additions - Various Departments - Staff recommended the purchase of Fleet Vehicle Replacements/Additions for various departments through the appropriate State Contract for the following departments: Library Service - one (1) new 2007 Chevrolet ½ Ton Cargo Van to replace a 2001 Dodge Van; Sheriff's Department - two (2) new 2007 ½ Ton F-150 2WD extended cab pickup trucks, one (1) new 2007 Chevrolet Tahoe 4-door utility vehicle to replace a 1998 Ford Explorer, and one (1) new 2007 ½ Ton F-150 2 WD extended cab pickup truck to replace a 1998 Chevrolet S-10 Blazer. The vehicles are recommended and approved in accordance with the Fleet Management policy. The cost of the approved vehicles including tax is \$100,658.82.

Mr. Cullum opened the meeting for discussion.

Mr. Derrick stated he understands that each of the new construction/additions for the libraries are running over incrementally and asked if the project, as a whole, is on track to complete.

Mr. Dan MacNeill, Director of Library Services, replied that funds have been drawn to cover the higher bids from the Gaston project and we are doing the same thing with the Chapin project. He said Gilbert/Summit will be next, but may have to borrow funds depending on how the bids come in. He said with the Gaston project, Mr. Kinard has explored the possibility of State funds to help with that project. He said as far as he can tell, it looks all right through the Gilbert/Summit project.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Keisler	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Carrigg

Mr. Owens

Chairman's Report - Ethanol Facility - Mr. Cullum stated he, along with Councilmen Kinard, Derrick, and Jeffcoat visited an ethanol facility in Craig, Mo. on December 10 and 11 as Council continues to do its due diligence on the possibility of engaging in an agreement with a company to construct an ethanol facility in Lexington County.

Highway Funding - Mr. Cullum related that he has met with Congressman Wilson and his staff on two separate occasions to discuss highway funding for Lexington County.

City of Cayce - Mr. Cullum met with officials with the City of Cayce to discuss the reopening of the Taylor Road Grade Crossing that is near the Twelfth Street Extension in Cayce.

Representative Chip Huggins - Mr. Cullum announced that Representative Chip Huggins underwent open heart surgery on Monday, December 11 and asked everyone to keep him in their prayers.

Administrator's Report - Ms. Hubbard introduced Mr. Ken Prince, Accountant, with Brittingham, Brown, Prince, & Hancock to provide the independent Auditor's Report.

External Auditor's Opinion and Presentation of CAFR - Mr. Ken Prince - Brittingham, Brown, Prince & Hancock, CPA, LLC - Mr. Prince thanked Council for allowing his firm to serve again as the independent auditor for the County and thanked staff in assisting his firm during the audit process. He said he found everyone to be very knowledgeable, extremely helpful, and cooperative.

Mr. Prince said the Finance Department has presented a CAFR (Comprehensive Annual Financial Report) that presents the County's financial statements and a lot of additional information in very great detail and to gain a very good understanding of this information, recommended reading the Transmittal Letter, Management Discussion and Analysis, and the Notes to Financial Statements where it will give you a lot of additional information.

Mr. Prince stated the financial statements were prepared by the County's Finance staff and that Brittingham, Brown, Prince & Hancock, CPA, LLC audited and expressed an opinion on the fairness of their presentation.

Mr. Prince stated that Brittingham, Brown, Prince & Hancock, CPA, LLC issued the audit report with no qualifications and no material weaknesses. He indicated there was one reportable condition that was identified that dealt with the timeliness of request for reimbursements from contracts and awards and that staff has already set aside some internal control procedures that will monitor that in the future to reduce the time it takes to get the reimbursement.

He said an internal control letter was issued that had no compliance findings as well as a management letter, which is a separate document, in which several recommendations were made for things that he did not feel met the criteria for reportable conditions or material weakness but ways

to improve the overall operation of the County.

He said during the year, the County's assets exceeded its liabilities at June 30, 2006 by \$179.7 million and \$67.3 million of that, the unrestricted portion, is available to meet the County's ongoing obligations.

The County's total net assets increased \$20 million with the majority of the increase coming from governmental activities and \$640 thousand came from business-type activities. At June 30, 2006, the County's governmental fund balance sheet reported a combined fund balance of \$70.4 million, an increase of \$8.5 million over the previous fiscal year. Of this amount, \$67.3 million remains in various funds of the County as unreserved.

The General Fund reported a fund balance of \$40.4 million, an increase from last fiscal year of \$5.1 million. This ending fund balance equates to approximately 57.585 percent of General Fund expenditures and transfers out for the year. Of this amount, \$23.4 million is unreserved and undesignated.

The General Fund reported excess revenue of \$4.6 million over budget and a decrease in expenditures of \$8.3 million of budgeted appropriations.

Mr. Prince said the firm found that the County was fiscally responsible and budgetarily conscious and asked if anyone had any questions.

Mr. Carrigg asked if the brief overview was included in the CAFR.

Mr. Prince replied, no, sir.

Mr. Carrigg asked if he could obtain a copy.

Mr. Prince replied, yes. He stated that similar information he provided can also be found in the Management's Discussion and Analysis in the CAFR.

Mr. Jeffcoat commented that it appears that the County has done a pretty good job.

Mr. Prince replied, a very good job; above average.

Mr. Jeffcoat stated Council is very proud of Mr. Prince's findings but would like to be prouder next year and not have the reimbursement situation that was reported in this report and asked how much money is involved.

Mr. Prince replied that he did not try to compile the information but it could be a substantial amount of interest that we may be foregoing because of the fact that we may not be requesting our reimbursements fast enough.

Mr. Jeffcoat replied that he does not feel that this will be an issue next year.

Mr. Cullum expressed appreciation to Mr. Larry Porth, Director of Finance, and staff for all their hard work.

Ms. Hubbard assured Council that the reimbursement situation will not be a part of the CAFR next year.

Christmas Holiday Closings - Ms. Hubbard announced that the Governor has declared Friday, December 22 as a State holiday and in accordance with Council's direction to follow the State holidays, the County will be close on the 22nd as well. In addition, the Solid Waste Management Convenience Stations will be closed December 24, 25, and 26.

Mr. Cullum reiterated, for clarification, that the convenience stations will be opened Friday, December 22 and Saturday, December 23 and closed on Sunday, December 24, Monday, December 25, and Tuesday, December 26.

Vehicle Sale - Ms. Hubbard said the County has received a court order to sale 34 confiscated vehicles at the Sheriff's Department and is working closely with Procurement and Fleet Services to identify which vehicles are saleable and depending on the conditions of the others, those may be sold as scrap metal.

CDBG Entitlement Program - George Bistany and Jason Boozer - Ms. Hubbard recognized Mr. George Bistany, Community Development Administrator, and Mr. Jason Boozer, Community Development Tech, for their work with the CDBG Entitlement program. Ms. Hubbard reported she received a letter from the US Department of Housing and Urban Development praising the County on how it handles the CDBG and HUD programs.

Columbia Riverbanks Region Meeting and Event Planner Guide - Ms. Hubbard said Midlands Authority for Conventions, Sports and Tourism provided each Council member a copy of the Columbia Riverbanks Region Meeting and Event Planner Guide that lists a number of facilities that are located in Lexington County for meetings and other events.

Building Naming and Usage Policy and Strategic Plan Objectives - Due to time constraints earlier during the Committee of the Whole, Ms. Hubbard deferred to the 4:30 session.

Building Naming and Usage Policy - Ms. Hubbard recognized the following members for their assistance: Ed Lewis, Chief Court Administrator; Marsha Moore, Chief Deputy Clerk of Court; Randy Quattlebaum, Building Services Manager; and Steve Corley, Master Deputy, LCSD Security Services.

Ms. Hubbard asked for feedback from Council to be sure that staff is moving in the right direction on the proposed policy. She said the first part of the policy would address facilities for County and non-County groups. And noted County facilities would be used by County staff first, but if there are members of the public who would like to use the facilities, the policy would have guidelines on how those facilities can be used. The guidelines are very similar to the ones that the Library had put in place.

The last part of the policy has to do with the naming of buildings, rooms, or any type of donated items that may be offered to the County.

In addition, the policy addresses signage use and the raising of the flags. She said the County would limit any type of banners or signs that are advertising events to only municipal and County sponsored events in front of any of the County buildings and that the flags only be flown at half-mast at the discretion of the Governor.

Strategic Plan Objectives - Ms. Hubbard noted in the agenda that she had provided the goals that Council had set and the individual objectives that were provided by the departments with a suggestion on how to move forward with each objective.

Approval of Minutes - Meeting of October 24, 2006 - A motion was made by Mr. Derrick, seconded by Mr. Kinard to approve the minutes of October 24, 2006 as submitted.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

Planning & Administration, J. Owens, Chairman - Zoning Map Amendment M06-11 - North of Bush River Road and South of Jimmy Love Ln., Columbia - 2nd Reading - Mr. Owens stated, at the request of Mr. Carrigg, Zoning Map Amendment M06-11 will remain in Committee for further study.

Zoning Map Amendment M06-12 - West Side of Charter Oak Road Between US 1 and US 378 - 2nd Reading - Mr. Owens made a motion, seconded by Mr. Davis that Zoning Map Amendment M06-12 receive second reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Davis	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Zoning Map Amendment M06-13 - Brittany II Subdivision - 2nd Reading - A motion was made by Mr. Owens, seconded by Mr. Jeffcoat that Zoning Map Amendment M06-13 receive second reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Jeffcoat	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Carrigg	

Justice, S. Davis, Chairman - Crime Scene Investigative (CSI) Grant Application - Mr. Davis reported during the afternoon, his Committee met to consider a request from Sheriff Metts that his department be allowed to move forward with the Crime Scene Investigative Grant application. The grant will be used to form a strong Crime Scene Investigative Unit to provide a unified approach to combating crime by discovering, identifying, and properly collecting and preserving vital evidence in crime scene investigation. The grant in the amount of \$395,583 will require a County match of 25 percent in the amount of \$98,896.

Mr. Davis made a motion, seconded by Mr. Owens that staff be allowed to move forward with the grant application.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Owens	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

School Resource Officers (SRO) Grant Application - Mr. Davis reported during the afternoon, his Committee met to consider a request from Sheriff Metts that his department be allowed to move forward with the School Resource Officers Grant application. The grant will be used to provide safety and security for students in each school of Lexington County. The grant in the amount of \$662,637 will require a County match of 25 percent in the amount of \$165,659.

Mr. Davis made a motion, seconded by Mr. Owens that staff be allowed to move forward with the grant application.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Owens	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

11th Circuit Law Enforcement Network Grant - Mr. Davis reported that the Justice Committee met on Tuesday, November 14, 2006, to consider a request from the Sheriff's Department to accept a \$20,000 mini-grant from the South Carolina Department of Public Safety, Office of Highway

Safety for the 11th Circuit Law Enforcement Network.

Colonel Allan Paavel, Director of Administration for the Sheriff's Department, stated that the Department has been awarded a mini-grant as the coordinating agency for the 11th Circuit Law Enforcement Network in the amount of \$20,000. The Law Enforcement Traffic Support Team will be allocated 75% of the awarded funds to increase the efficiency and effectiveness of the traffic enforcement units in all Lexington County municipalities. The remaining 25% is mandated to be used by the coordinating agency for the same purpose. The grant does not have a match amount.

The Committee voted in favor to recommend that full Council approve to accept the \$20,000 grant.

Mr. Davis made a motion, seconded by Mr. Owens that staff be allowed to accept the \$20,000 mini-grant.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Davis
	Mr. Owens	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Health & Human Services, J. Carrigg, Jr., Chairman - Naming of Fire Station - Mr. Carrigg report his Committee met to discuss the naming of the new fire station being constructed on Sharpes Hill Road that has been referred to as the Fish Hatchery Fire Station. The committee voted to formally name the new constructed fire station as the Sharpes Hill Service Center.

Mr. Carrigg made a motion, seconded by Mr. Keisler to approve the naming of the new fire station being constructed as the Sharpes Hill Service Center.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Carrigg
	Mr. Keisler	Mr. Kinard
	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Jeffcoat
	Mr. Owens	

Public Works, B. Derrick, Chairman - Legal Closing of Tarragon Drive - Mr. Derrick reported the Public Works Committee met to discuss the legal closing of Tarragon Drive. The dirt section of the road is approximately eight-hundred (800) linear feet long that is from its intersection with Maple Road to the easternmost boundary of the Cunningham Park Subdivision at its intersection with Tarragon Drive. Ms. Vicki Quattlebaum, the petitioner, will be responsible for all closing costs. The committee voted unanimously to recommend that Council has no objection to Ms. Quattlebaum pursuing the legal closing of Tarragon Drive.

Mr. Derrick made a motion, seconded by Mr. Kinard to have no objection to Ms. Quattlebaum pursuing the legal road closure of Tarragon Drive.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

Access for Estates of Persimmon Hill - Mr. Derrick reported his Committee met to consider a new proposal (dated November 2006) submitted by American Engineering for access to the proposed Estates of Persimmon Hill Subdivision that was tabled during the committee on November 14. The new proposal will maintain entrances from Benjamin Drive and Condor Route (in the Wrenwood Subdivision). The proposed re-engineering plans will continue to meet both the zoning and subdivision regulations with regard to lot density and roadway requirements. The Committee voted unanimously to recommend to full Council that the new re-engineering proposal (November 2006) be approved.

Mr. Derrick made a motion, seconded by Mr. Kinard to approve the new re-engineering proposal submitted by American Engineering.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

208 Plan, J. Carrigg, Jr., Chairman - City of Cayce Wastewater Treatment Facility - Additional Capacity Purchase Request - Mr. Carrigg reported the 208 Plan Committee met today to discuss a request from the City of Cayce to purchase additional capacity for its wastewater treatment center. The committee asked that additional information be provided.

Solid Waste Landfill, J. Kinard, Chairman - Lease Agreement With School District Four - Mr. Kinard reported the Solid Waste Landfill Committee met during executive session to consider changes to a proposed lease agreement with Lexington School District Four and noted that the County is still in negotiations with School District Four.

Red Bank Collection Station Survey - Mr. Kinard reported his committee discussed the results of the survey that was conducted at the Red Bank Collection Station and will continue to study the results.

Airport, T. Cullum, Chairman - Airport Engineering Services - Mr. Cullum reported the Airport Committee met during executive session to discuss the airport engineering services contract with The LPA Group Incorporated. After the committee reconvened, the Committee voted unanimously to recommend to full Council that the contract for airport engineering services be awarded to The LPA Group Incorporated. The contract is for a period of five years and meets the guidelines provided to the County by the F.F.A.

Mr. Jeffcoat made a motion, seconded by Mr. Derrick to approve the five-year contract with The LPA Group Incorporated for airport engineering services.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Jeffcoat
	Mr. Derrick	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	

Ordinances - Ordinance 06-15 - To Amend the Agreement for Development of Joint County Industrial Park Dated December 11, 1995 by and Between Lexington County and Calhoun County, Providing for the Development of a Joint Industrial/Business Park so as to Include Additional Property (Allied Air) in that Portion of the Joint County Industrial Park - 3rd and Final Reading - Mr. Derrick made a motion, seconded by Mr. Kinard that Ordinance 06-15 be given third and final reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	

Ordinance 06-16 - Authorizing the Execution and Delivery of an Infrastructure and Real Estate Improvements Financing Agreement Between Lexington County and Allied Air - 3rd and Final Reading - Mr. Owens made a motion, seconded by Mr. Davis that Ordinance 06-16 be given third and final reading.

Mr. Cullum opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Davis	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Executive Session/Legal Briefing - Mr. Owens made a motion, seconded by Mr. Davis to enter into Executive Session to discuss contractual and legal matters.

Mr. Cullum stated Executive Session will consist of three personnel matters, four contractual matters and four legal matters.

In Favor:	Mr. Cullum	Mr. Owens
	Mr. Davis	Mr. Kinard
	Mr. Derrick	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

*Mr. Owens left immediately following the vote.

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Cullum stated Council received some of the briefings but will have to return to Executive Session following the public hearing. There were no votes taken.

6:00 P.M. - Public Hearings - Zoning Map Amendment M06-14 - 146 & 153 Banbury Rd., 158, 161, 165, & 234 St. Andrews Road - Mr. Cullum stated the purpose of the hearing is to receive feedback in support or in opposition to the application for zoning change. He asked that each speaker provide their name and mailing address and that comments be limited to three (3) minutes. He asked that if there was anyone present who had signed up to speak but chose not to speak, but wanted to concur with what had been said, it was acceptable to indicate concurrence. Mr. Cullum added that no one would be denied the opportunity to speak. Mr. Cullum also asked that there be no disruptions including cheering, clapping, etc.

Mr. Cullum opened the public hearing and recognized Mr. Bruce Hiller, Development Administrator, Community Development. Prior to Mr. Hiller's presentation, an addendum of additional signatures from a prior petition was provided to Council.

Mr. Hiller stated that the applicant, Mr. Gary R. Smith, has requested a change in zoning classification from Low Density Residential (R1) to Neighborhood Commercial (C1). He stated that Mr. Smith indicated on the application that the reason for the request is: two property owners currently have home-based businesses and would like to put up business signs; one property owner wants to sell property as commercial use; two property owners would like to continue to live there but think rezoning would enhance property value; and one property owner has been unable to sell house as zoned, is currently renting the house, and would like to sell as commercial property.

Mr. Hiller reviewed the maps and area by using a Power Point presentation, as well as the type of allowable activities in R1 and C1.

Mr. Cullum opened the meeting for comments from those in opposition to Zoning Map Amendment

M06-14.

Mr. Carrigg asked if all the lots are in a platted subdivision.

Mr. Hiller replied, as far as we know, we believe they are in Whitehall. He said staff had researched and made copies of the private restrictions and covenants.

Mr. Carrigg asked, are any of the lots covered by any covenants or restrictions?

Mr. Hiller replied, (referring to documents) those are a lot of copies and they have many handwritten notations referring to other deed books and it gets quite convoluted. He said that he feels that he nor his staff is qualified to make a judgement on that.

Mr. Carrigg asked, are there covenants and restrictions that purportedly cover these properties?

Mr. Hiller replied, yes.

Mr. Carrigg asked, on their face do those covenants and restrictions allow commercial use?

Mr. Hiller replied, they do not.

Mr. Cullum asked if there has been a prior hearing on the parcel nearest the shopping plaza (Clusters of Whitehall).

Mr. Hiller replied, yes sir, we have. It is a residential use that you have seen before and has been denied.

Mr. Cullum replied, it was denied to do the very same thing that we are doing tonight.

Mr. Hiller replied, that is correct. Yes, sir.

Mr. Cullum asked if there has been any other hearings on parcels near this request.

Mr. Hiller replied, no sir. Mr. Hiller said in reviewing the history of map amendment requests in the area, the vast majority of them in past years (16 years) were more along Bush River Road (referring to the map) and of course, the church (Map Amendment M06-10) that was withdrawn. He said there was one back in the 80s that covered a large blanket area, but it was denied also.

Ms. Summers asked if Mr. Smith is one of the homeowners.

Mr. Hiller replied, yes, and he is acting as a representative for the others.

Mr. Cullum opened the meeting for comments from those in favor of Zoning Map Amendment M06-14.

Mr. Jack Parker, 1216 Old Road, Chapin, SC 29036 - I was the one who was here last time that applied for 234 St. Andrews Road, which is right behind the Clusters of Whitehall. I'm probably about as commercialized as I could be because Clusters of Whitehall is right adjacent to my property. The only reason that I'm back here today to reapply, I knew I'd been shot down before and the odds are not in my favor that I'm going to make this thing go again because I can see all these folks out here and they're definitely against it, and I think the deck is stacked against me from the beginning. But, the only reason I'm here is because Mr. Mungo, who was so opposed to me getting it commercialized the last time, we understand about three months ago applied for zoning in between all this stuff that we applied for. So, and I know Mr. Mungo carries a lot of clout over here, and I was just confused as to how he could want it to be commercialized right in amongst our property, but didn't want ours to be commercialized a year and one-half ago. So that's why I'm back here. I know it's not going to go, but, when I found out he was applying for his, I said well shoot, maybe I can get mine. I am renting my house now. The house is not looking as good as it did two or three years ago, because it is rental property now. I'm getting my rent check on time. I'm pretty happy. So, it's up to you guys. If ya'll want to commercialize me fine, if you don't want to, that's fine. I'm happy as long as I'm getting my rent check. I'm happy. I do hate that the property is going down and the property value is definitely going down. When you have rental property, it goes down. Everybody knows that. Do you agree with that, sir? (Directing the question to Mr. Cullum).

Mr. Cullum replied, under a general statement I won't disagree with that.

Yes, sir. It is 100 percent correct. And where I live or where my house is on St. Andrews Road, which was my mother's home, I think I told you this one night Mr. Jeffcoat, probably the only house where you can sit on the front porch in any neighborhood and the trucks go by 45 and 55 m.p.h. You can't do it in your neighborhood or your neighborhood. Semi's go in front of my house 45 to 50 m.p.h., four-lane highway. But, it's not in your neighborhoods. It's not in the back of Whitehall that tractor trailers go in there. Only on St. Andrews Road. I just want to make that clear. I know what's going to happen. Thank you.

Mr. Carrigg stated for clarification for the record to a earlier comment that Mr. Parker made, said that Michael Mungo had come and opposed your prior application. Steven Mungo, his son, had made the application.

Mr. Parker replied, I think if you check the record on that too, during that time, Mr. Steven Mungo was applying for it, somebody on Council asked, does your daddy, Michael Mungo, approve what you're doing and he said yes. Thank you sir.

Mr. Gary Smith, 2500 Feather Run Trail, West Columbia, SC 29169 - I own the property at 161 St. Andrews Road. Presently and for the last year, I have an insurance office in that property. There is no sign up. When the signs went up, I got served with papers that I have until February 12 to move. This is a high-traffic street, a four-lane street. I notice a lot of names on this thing, live back in Whitehall and, you know, when you come out of that street, if you turn left and go toward Columbia, do they close their eyes when they go a few hundred feet or if they go toward Irmo, do they close their eyes, is it that distasteful? The third property from me is Bank of America, on that side of the street, and Honeywell is on the other. The only thing that I'd like to do is put up a small

sign in my yard that says Modern Woodmen of America. I was on Bush River Road prior for over ten years; sold that property. Had one customer walk in and wanted to buy insurance in the ten years that I was over there. This is an administrative office. It's not a full traffic. It's a bookkeeping office. Would be nice to have a sign, but if I have to move February 12, so be it, I can live with it. I'm not going to sleep more than ten hours tonight worrying about it. This is a high-traffic street and I feel like before you make a decision, quite frankly, you should ask for a traffic count on this street. The neighborhood is going down. There is nothing that the people who live there can do to control or stop that. The commercial on the streets is not going to be a problem, a small office and shops, and you guys are in control whether you are grant a permit for something that would be distasteful out there anyway. Thank you.

Mr. Larry Pyle, #2 Bee Haven Road, Columbia, SC 29223 - I own property at 165 St. Andrews Road. I have had this property on the market for sale for two years. Everybody probably has seen the for sale signs there for two years. I've changed realtors twice because the realtors have had no luck in trying to sell this piece of property. Since it has been on the market, I have had 57 calls on that piece of property, people who are interested in buying it and not one call was for residential use. Nobody wants to be on that high-traffic count street, on a four-lane road where they have to back out of their driveway into a four-lane road. Everybody has asked the same question. Is there any way the property can be used for limited commercial, and I've always told them no and their interest always went away. I've not had one offer in two years on that piece of property. Unfortunately, I just got a tax reassessment for that piece of property, which was just about a 35 percent increase in the taxes on that piece of property. It's unfortunate, I know, but it's not a primary residence for me so I understood why they raised it so much, but that makes it even harder to sell the piece of property for residential use. Nobody wants to live in that house and it's right in the middle of the block. There is no way to get out of the driveway unless you back over into the yard and turn around in front of the house and head yourself down the little hill out into the street. There's no visibility to be able to use that house now as a residential house, and I think before a decision is made about that area that we should consider doing a traffic count to find out if it's suitable for residential now and if there is any possibility that the property can be used for limited commercial because it's never going to sell as a residence. I thank you for your consideration and I think I am the only one that is suffering over there because I've got the only for sale sign on the street.

Mr. Cullum asked if there was anyone else who wished to speak in favor of Zoning Map Amendment M06-14.

No response. Mr. Cullum closed that portion of the hearing.

Mr. Cullum opened the public hearing for those in opposition to Zoning Map Amendment M06-14.

Mr. Robert Clawson, 156 Sandhurst Road, Columbia, SC 29210 - Suzy (wife) is unable to be here but she like myself is very concerned about this matter and we both thank you for the opportunity to be heard. I first would like to point out the fact that the lots being considered for rezoning are in fact a part of Whitehall and they are all subject to the restrictive covenant scheme of Whitehall. So that, even if this zoning change were to be granted, commercial use of those properties would violate pre-existing restrictions. And I, as did all the residents of Whitehall, relied

on those restrictive covenants when I made my decision to buy a home in Whitehall, and in addition to that, all of these petitioners also bought their houses in Whitehall fully aware of the existence of those restrictions. And because all of the lots in Whitehall are subject to a common restrictive scheme, allowing a zoning change for these lots would create a benefit for these lots while diminishing the value of every other lot in Whitehall. It might be a very different matter if these lots that are scheduled for rezoning were adjacent to Whitehall but not a part of the restrictive covenant scheme of Whitehall and in that case, we might have a substantially different circumstance, but because they are a part of the common restrictive covenant scheme, allowing a zoning change would mean that this Council is conferring a benefit on these lots by depleting the value of all the other lots. Council would be in effect aiding and abetting the violation of these pre-existing restrictions and frankly that sounds a lot like a taking to me. I also would like to point out as was pointed out by Mr. Hiller that on both sides of this line of lots they are flanked by two strip shopping centers. Those shopping centers have substantial vacancies in them already. So there is not a need for more commercial space in this area. I also would like to point out that in this section of St. Andrews Road where these houses are located, the character of that section of St. Andrews Road, between those two shopping centers, has not changed substantially over several decades. It's true that St. Mary's has removed several of the houses in order to put up a church, but that church does not violate the restrictive covenant scheme. Thank you very much.

Mr. Don Drozd, 318 S. Stonehedge Drive, Columbia, SC 29210 - Good evening everyone. I would like to say starting off that I agree with everything that Mr. Clawson just said. I am actually here representing my mother, Irene Drozd. She lives at 318 S. Stonehedge Drive. She is not feeling well this evening, so I came. It's also the house in which I grew up in. We lived there for 32 ½ years. I know there is a number of restrictions and covenants that are in place and as Mr. Clawson says, on St. Andrews Road right there, that has been maintained for the 32 ½ years that I've been around. It's relatively unchanged except for the church. When you talk about property values, I think that increases property values as opposed to decreases. There are substantial empty lots or empty shopping centers around there, so there is no need for commercial. Plus it, just going down this road I think will lead to neighborhood creep. You let them to do one thing, then let them do another. On the other side of Whitehall on Jamil Road, they have built the Kore Motorcycle Shop, which is very close. When the leaves are off the trees you can see that structure from the neighborhood. There has also been a fireworks building put on Jamil Road that, is close to the Whitehall area, it's not in as they say it is adjacent to. But this effects the subdivision itself. One day I hope to, maybe, be able to buy my mother's home and live there so I'm just looking at down the road. They talk about the four-lane road and the high traffic. Well, St. Andrews Road when I moved was two lanes. And yes, there is a need to widen it, but there isn't a need to destroy the neighborhood it self. The homes, our homes, they are not commercial residences. Thank you.

Mr. Chester Sansbury, 418 Harrow Drive, Columbia, SC 29210 - I'm president of the Whitehall Homeowners' Association. I have already submitted a letter, don't know if you have gotten it or seen it, but I've got another copy. I think Mr. Clawson covered things very well in relationship to the covenants. I do have a set of all the covenants and the plats for the subdivision that was passed on to me from my predecessors, and I have studied them carefully, and I concur with what has been said about violations of the covenants by commercial uses. A proposed commercial uses, just briefly I would like to say that the request in classification would be incompatible with the existing uses in

classification of adjoining properties. And actually, I would just like to go on record as requesting the applicants to withdraw their request for rezoning as it being inappropriate for menaces of the characteristics of our subdivision. Thank you.

Mr. Carrigg asked if the homeowners' association at any meeting dealt with the issue of this rezoning application.

Mr. Sansbury replied, yes, we have and I mentioned that in the letter that I gave Mr. Cullum. Yes, on October 16 at our general membership meeting, I brought the issue before our members attending, we have a general membership meeting twice a year, so in October I brought this before our general membership meeting, and I asked for a vote on those who opposed to this rezoning request and everybody that showed their hands, one way or another, opposed it and I notice in the audience a couple of people did not oppose it so that's why in my letter I said it was almost unanimous because a couple of people had abstained, but nobody voted in favor of it.

Mr. Carrigg replied, so there was a vote.

Mr. Sansbury replied, yes. There was a vote, October 16.

Mr. Floyd Bell, 177 St. Andrews Road, Columbia, SC 29210 - Members of Council, thank you for the opportunity to speak tonight. My friends calls me Ernie Bell but it's Floy Bell on the deed. But, I do have standing in this because my residence is 177 St. Andrews Road. That is the corner lot going down Tram Road, the one you alluded to with the white light. I hope you are enjoying them; I'm having a grand time putting them up. I have lived at that location since 1979 so I've been there about 26 years now, 27 years. When I moved into that location, I picked Whitehall because that's the place I wanted to live and raise my family and send my kids to school. When I moved into that location, St. Andrews Road was two-lane and so was Tram Road. So when they widened the highway on both sides they took a big chunk of my land on both sides, but I still love Whitehall, and I think it does maintain the residential community that it always has. A great place to raise kids, a great place to raise a family, and I certainly hope you will be able to sell your property to someone who will be a great neighbor for me two doors down so I certainly oppose any effort to commercialize that piece of property.

Mr. Mark Essick, 184 Sandhurst Road, Columbia, SC 29210 - Thank you. My address is 184 Sandhurst Road, just behind the area that is being discussed. I'd like to concur with the comments on the availability of commercial space. There is so much commercial space vacant in the shopping center, that at one time held a Piggly Wiggly, that there is no need for additional commercial operations. The high traffic situation is a problem, but in my mind it is more of a problem for commercial business than a resident. Because a commercial business, is going to have more people driving in and out. Going to be more of a problem getting out on St. Andrews, there's more likelihood for more traffic accidents as you have people wanting to get in or out of a business quickly. I see no justification for the rezoning with all the commercial space available. Thank you.

Mr. Kevin Johnson, 160 Sandhurst Road, Columbia, SC 29210 - My wife and I live at 160 Sandhurst Road. We have lived there over twenty years now; raised our two boys. I concur with

everything that has been said so far. There's just one main issue that I would like to point out and the previous gentleman just touched on it. There's two main venues leading into Whitehall off St. Andrews Road and they want to commercialize one of the main entrances, and I think that is going to cause a serious traffic problem coming in there because there's a lot of traffic coming trying to come out of Whitehall onto St. Andrews Road. Rest of it, I concur.

Ms. Marjorie Durant, 190 Sandhurst Road, Columbia, SC 29210 - I do not want to talk.

Mr. Bob Jones, 127 Burnsdawn Road, Columbia, SC 29210 - Mr. Chairman, members of the Council, I am Bob Jones. I live at 127 Burnsdawn Road. Mr. Clawson stole my thunder. So I don't know how much more I can say that Mr. Clawson didn't say, except that I'm still opposed to it. We've already been through this one time up at that 224, I think it is. It's been turned down. I don't have a solution to his problem, but I'm against what's trying to be done, and incidentally, my house hadn't decreased in value. If it has, I want somebody to send the tax assessor out there and get it straightened out. Thank you very much.

Mr. Mark DiMaggio, 128 Cheshire Drive, Columbia, SC 29210 - I concur with everything that has been said.

Mr. Glen H. Boatwright, 163 Cheshire Drive, Columbia, SC 29210 - I'm new to the neighborhood, only lived there for a year. But, we are very concerned about this effort to rezone. There was a petition, that I believe Council received a couple days ago. I would like to present a hand full of additional signatures to that petition. I believe ya'll have gotten several pages already reflecting that there are a lot of neighbors in the subdivision that are concerned about this. And, I concur with everything else that has previously been said, and would like again to support the opposition.

Mr. Carrigg asked, are those in addition to ones you gave me earlier?

Mr. Boatwright replied, yes sir, they are.

Mr. Carrigg replied, so they are in addition to the second set.

Mr. Boatwright replied, yes, sir. They were just delivered.

Mr. Carrigg asked, do you know how many total signatures you have added to your petition now?

Mr. Boatwright replied, I didn't do a count. Quite a number.

Mr. Carrigg replied, there are three sets. We received one set in the packet, another set was brought today, and the original set.

Mr. Thomas Edenton, 156 Sandhurst Road, Columbia, SC 29210 - Good evening Council members. The very first house that my wife and I bought was in Whitehall on Old Friars Road and we bought it in 1979. We had our first child in Whitehall, and subsequently, we've added two more

to the mix. When we had to expand our living arrangement, the only condition that I gave to my wife was that it be in Whitehall. Whitehall is an island between the commercial developments on either end of St. Andrews Road, and it needs to stay that way. It retains the character of a well-established neighborhood and any encroachment by commercial development within the boundaries of that neighborhood is detrimental to that neighborhood. Thank you

Ms. Norma Dooley, 181 Banbury Road, Columbia, SC 29210 - Good evening lady and gentlemen of the Council. This affects my family very, very much. I have two small children, a seven year and a five year old. Soon they're going to be riding their bikes. With the encroachment of the commercial area, it's going to spread, I fear, like a cancer in my neighborhood. I grew up in Rosewood and have seen the commercialization of the Rosewood/Shandon area and places that I grew up knowing, Ms. Stanton lived there, Mr. Maxwell lived there are now commercial areas. The neighborhood is not a neighborhood. I grew up in Rosewood as I said and as I would drive down St. Andrews Road as a child, I would look into the Whitehall neighborhood and say, "I want to live there." Six years ago, my husband and family moved into Whitehall, as the predecessor said, it is an island. It is sanity in the midst of all this commercialism. It is my hope and prayer that you vote against this proposal to commercialize my neighborhood endangering my children and the other children in the neighborhood. Thank you.

Ms. Ruth Bowles, 133 Burnsdowne Road, Columbia, SC 29210 - I concur with what the others have said.

Ms. Manina Smithers and Mr. Calvin Smithers, 172 Dorset Drive, Columbia, SC 29210 - We both concur with everything that has been said.

Ms. Sara Nicholson, 206 St. Andrews Road, Columbia, SC 29210 - I concur with what has been said.

Ms. Susan Nicholson, 115 Palace Green Court, Columbia, SC 29210 - I concur with what everyone has said.

Ms. Della Lowman, 200 St. Andrews Road, Columbia, SC 29210 - I concur too. That is a good neighborhood and I enjoy living there and I certainly hope there won't be any changes. Thank you.

Ms. Lucinda Daniels, 909 Rolling View Lane, Columbia, SC 29210 - I concur with everything that has been said.

Dr. Margaret Amick, 169 St. Andrews Road, Columbia, SC 29210 - I am adjacent to the for sale sign. I have lived there for 15 years. I've enjoyed every minute of living there. I have a circular drive in front of my house. I have no problem getting out on St. Andrews Road. Yes, we do have traffic. There is traffic all over Columbia. We are a growing town. Yes, there are trucks going by. There are many roads in Columbia with trucks going by. The speed limit is 40 m.p.h. and I do hear patrolmen stopping people, to slow people down because there is that temptation to drive faster. It is a neighborhood community. It is not going down. There are improvements everywhere. We are encouraged by the homeowners' association to have better looking yards, lawns, to keep the

community up. We have contests to improve and to show our neighbors that my yard is better than your yard. And prizes given out. We are in the process right now of having a contest for the Christmas lights in Whitehall. And being Whitehall, we are encouraged to have white lights, like Dr. Bell has. So it is not a place that is falling apart. It is not a place that is going down. It is a beautiful community. It is, as you can see, a lot of people pulling together wanting us to stay as a community, as a neighborhood, that is well thought of, respected, and admired by some others and people wanting to move to the Whitehall area. If we were going downhill, people would not want to move there. I would not want those houses to go commercial along St. Andrews Road. Thank you.

Mr. Vance Williams, 126 Burnsdowne Road, Columbia, SC 29210 - I concur with what has already been said.

Ms. Oline Smith, 212 St. Andrews Road, Columbia, SC 29210 - I concur.

Ms. Barbara Jones - I concur with everything that has been said.

Mr. Daniel A. Durant, 190 Sandhurst Road, Columbia, SC 29210 - I concur.

Ms. Marjorie Durant, 190 Sandhurst Road, Columbia, SC 29210 - I concur.

Mr. Donald Boyd, 109 St. Andrews Court, Columbia, SC 29210 - I concur.

Mr. Steve Johnson, 178 Banbury Drive, Columbia, SC 29210 - I Just bought the house. My wife and I have lived in Columbia for about 11 years. She is a professor at the university and we really enjoy the town, but where we were living, we didn't want to live the rest of our lives. And we have gone all over the city looking at places to live. I have looked at all the new houses, and I wanted to buy the house that we will die in. After much consideration, even driving to North Carolina looking for a place to live, it occurred to me that Whitehall, and all these fine folks, is where I want to be. There is no place in this town like Whitehall. It is close to stuff, there is very little crime bought in. The traffic is well controlled. With this business here, it will make the traffic worse, because it will be a more dangerous corner. I look forward, as a new resident in the area, to living there and meeting this people.

Mr. James M. Southerland, 157 Sandhurst Road, Columbia, SC 29210 - I can't say anything that hasn't been said. I just would like to reiterate the thing about the existing commercial development that are empty. I concur with what has been said.

Mr. David M. Britt, 213 Sandhurst Road, Columbia, SC 29210 - I concur with everything that has been said.

Ms. Lenora H. Britt, 213 Sandhurst Road, Columbia, SC 29210 - I concur with everything that has been said.

Mr. Cullum asked if there was anyone else present who wanted to speak in opposition.

Ms. Bertha (?) White, - I grew up on Brookshire Drive. My father and grandfather have lived at 153 Banbury, which is that last property before the old Piggly Wiggly. My question would be, when they talk about limited commercial residential, what type of business would be permissible under that delineation?

Mr. Bruce Hiller, Development Administrator, replied, this is taken from the Zoning Ordinance. For the zoning district, the current zoning district of R1 that are checked (referring to the map) are allowed activities with that zoning district. Those allowable activities are: churches, community education, essential services (limited) group assembly (limited), mini-parks, natural reserves, residential detached, and utilities. For a C1 that is proposed to go to the area that are checked (referring to the map) are allowed. Those allowable activities are: administrative office, advertising signs, airports, boat docks, child or adult day care, churches, essential services (limited), general retail (limited), group assembly (limited), group housing, hospitals, medical services, mini-parks, mobile homes, natural reserves, non-assembly cultural, nursing homes, personal convenience services, plant nurseries, professional services, residential detached, residential attached (2 dwelling units), business parks, transport services, utilities, and vehicle services (limited).

Ms. White replied, that answers my question really well. What I'm concerned about is, if it was like a single professional like a single attorney, or a single doctor, or a single psychologist, or something like that. Thank you.

Mr. Cullum closed that portion of the hearing.

Mr. Cullum asked when this information would be presented to the Planning Commission for review?

Mr. Hiller replied, it appears it will be presented to the Planning Commission on the third Thursday of January (January 18). Then it will be placed on the agenda for second reading. However, he said any amendment can be denied at second reading, but to approve one, it must go for third reading.

Mr. Cullum stated that it will probably be the first meeting in February (February 13) that Zoning Map Amendment M06-14 will be presented to Council with recommendation from the Planning Commission.

Mr. Gary Smith, the applicant, asked if he will know in time if he has to move by February 12? Somebody has complained that I have an office in that house. There are houses all over Whitehall with offices, but I have been singled out because I did this, so I am going to need to know if I need to move or not.

Mr. Jeffcoat stated what the applicant is trying to say is that he has already been notified by the zoning department that he needs to do something by February 12.

Ms. Hubbard replied that she has spoken with Ron Scott, Director of Community Development, and said arrangements will be made to provide an extension by a couple of days to make sure that

Council has an opportunity to act on this before any action is taken on the zoning compliance letter that Mr. Smith received.

Mr. Hiller asked that he be allowed to respond to a comment made that there other businesses all over the Whitehall area. He said the zoning ordinance allows, what we call a “Home Occupation Permit” as long as it meets certain guidelines and the person applying for that home occupation is the legal resident of that dwelling. However, in this particular case, it is purely administrative offices. No one lives at that residential unit and that is why it is not an allowed activity in that zoning area.

Mr. Cullum stated that the earliest that Zoning Map Amendment M06-14 would be on the agenda would be February 13. However, if anyone would like to attend the meeting, he suggest that they visit the County’s website at www.lex-co.com where the agenda is posted.

Ordinance 06-18 - An Ordinance to Amend Ordinance 95-12 as Amended by Subsequent Ordinances Relating to Joint County Industrial Park of Lexington and Calhoun Counties so to Enlarge the Park by Including Certain Property Owned by Accurate Therapeutic Supply, Inc., DBA Accurate Mfg., Inc. and Certain Property Designated as the Saxe Gotha Property - Mr. Cullum opened the Public Hearing for those in favor to Ordinance 06-18. No comments were received.

Mr. Cullum closed the public hearing from those in favor.

Mr. Cullum opened the public hearing for comments in opposition to Ordinance 06-18. No comments were received.

Mr. Cullum closed the public hearing from those in opposition.

Mr. Cullum closed the public hearing.

Oath of Office Ceremony - Mr. Cullum announced that the Oath of Office ceremonies will be on Thursday, January 4 at 6:00 p.m. in the Dorothy K. Black Council Chambers.

Executive Session/Legal Briefing - Mr. Kinard made a motion, seconded by Mr. Davis to enter into Executive Session to continue discussing contractual and legal matters.

In Favor:	Mr. Cullum	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Jeffcoat
	Mr. Carrigg	

Not Present: Mr. Derrick *

* Mr. Derrick was not present when the vote was taken.

Mr. Cullum reconvened the meeting in open session.

Matters Requiring a Vote as a Result of Executive Session - Mr. Cullum reported Council continued discussing legal matters during the Executive Session and indicated there were no motions to be considered.

Budget Amendment Resolutions - The following BAR's were distributed and signed:

07-055 - A supplemental appropriation increase in the amount of \$7,375 for the Help America Vote Act grant for the paving of the Ridge Road precinct to make it accessible for disabled citizens.

07-056 - A supplemental appropriation increase in the amount of \$3,490 for the Help America Vote Act grant for the renovations of the Fairview precinct to make it more accessible to disabled citizens.

07-057 - An appropriation transfer of \$186,000 and a supplemental appropriation increase of \$50,000 for the Allied Air Enterprise project. Mid-Carolina Co-op gave the County \$50,000 more than expected. (See BAR 07-045).

07-058 - A supplemental appropriation increase in the amount of \$20,000 for the mini-grant award from the SC Department of Public Safety, Office of Highway Safety, for the 11th Judicial Circuit Law Enforcement Network.

07-059 - A supplemental appropriation increase in the amount of \$1,500 for a donation received from Target.

Mission and Vision Statements - Ms. Hubbard said as a reminder to anyone who sits in Council's chairs, that a plate has been placed in front of each chair to remind them of Council's Mission and Vision for the County.

OLD BUSINESS/NEW BUSINESS - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

M. Todd Cullum
Chairman